



**RULES/AGENCY RULES COMMITTEE**

Meeting Report  
December 15, 2004

**PRESENT:** Chair Dando; Members Chavez, Cortese, Williams and Yeager.

**ABSENT:** None

**STAFF:** City Attorney Richard Doyle, City Clerk Lee Price, Assistant City Manager Mark Linder, Assistant to the City Manager Deanna Santana, Council Agenda Manager for the Mayor's Office Jennifer Carlino and Redevelopment Agency Liaison Gary Miskimon

Chair Dando called the meeting to order at 2:05 p.m.

**A. Redevelopment Agency**

1. **Review January 11, 2005 Draft Agenda**  
The Committee recommended approval of the January 11, 2005 Redevelopment Agency agenda.
2. **Review January 4, 2005 Draft Agenda**  
DROP – HOLIDAY CLOSURE
3. **Review December 28, 2005 Draft Agenda**  
DROP – HOLIDAY CLOSURE

**B. City Council**

1. **Review January 11, 2005 Draft Agenda**  
The Committee approved the January 11, 2005 agenda with the following changes:
  - a. Move Item 9.1, "Approval of actions for the 2004-05 Weed Abatement Report", to the Consent Calendar
  - b. Approval of a Silicon Valley Workforce Investment Network Board Nomination (Mayor)

- 2. Review January 4, 2005 Draft Agenda**  
DROP – HOLIDAY CLOSURE
- 3. Review December 28, 2005 Draft Agenda**  
DROP – HOLIDAY CLOSURE

**C. Legislative Update**

**1. State**

There was no report.

**2. Federal**

There was no report.

**D. Meeting Schedules**

- 1. Request from Mayor and Chair of Blue Ribbon Task Force that Rules Committee find that the report from Investigator for San Jose Elections Commission is deserving of a public hearing before the City Council, pursuant to Council Policy 0-28, City Council Conduct Policy, and that the Mayor call a Special Council Meeting for Friday, December 17, 2004, at 1:00 p.m. in the Council Chambers**

Documents Filed: Memoranda from Mayor Ron Gonzales and Council Member Ken Yeager dated December 9, 2004 regarding the San Jose Elections Commission investigator's report re: allegations against Council Member Terry Gregory; from Council Members Ken Yeager, Cindy Chavez, Pat Dando, and Chuck Reed dated December 13, 2004 requesting that Rules Committee set a public hearing to consider the censure of Council Member Terry Gregory, based on an attached resolution; and from Chief Deputy City Attorney Norm Sato addressed to City Attorney Rick Doyle dated December 8, 2004 outlining the Council Censure Process.

Discussion/Action: Chair Dando reviewed the Council Censure Process, noting that all criteria have been met to proceed with a censure hearing. Member Ken Yeager, Chair of the Blue Ribbon Task Force (BRTF), reported that, subsequent to receiving a report submitted to the Elections Commission from Hanson, Bridgett, Marcus, Vlahos & Rudy, dated December 8, 2004, the Task Force has heard nine hours of testimony over the last several days. Based on the report and the nine hours of testimony, the BRTF is requesting Rules Committee set a Public Hearing to consider the censure of Council Member Terry Gregory. City Attorney Richatapes and transcripts of the December 13<sup>th</sup> and December 15<sup>th</sup> BRTF meetings be given to all Council Members. He emphasized that the requested Public Hearing may deal only with the six allegations presented in the BRTF Resolution dated December

13, 2004. Mr. Doyle also informed the Committee that censure requires eight Council votes.

The Committee recommended approval to set a Special Council Meeting for Friday, December 17, 2004, at 1:00 p.m. in the Council Chambers to consider the censure of Council Member Terry Gregory, based on six allegations of conduct in violation of City ordinances and City policy as contained in a report to the San Jose Elections commission, dated December 8, 2004, from Hanson, Bridgett, Vlahos and Rudy LLP.

## **2. Request to Change Study Session Time**

Documents Filed: Memorandum from Deanna J. Santana, Assistant to the City Manager, dated December 14, 2004 requesting a Study Session time change.

Discussion/Action: The Committee recommended approval to change the Ethics Training Study Session on January 27, 2005 from an all day session to 12 noon to 5:00 p.m. to be held in the Health Building, Room 202 a-b.

## **3. Rules-in-Lieu**

Documents Filed: None.

Discussion/Action: The Committee recommended a Rules-in-Lieu meeting to be held on January 5, 2005.

## **E. Public Record**

Documents Filed: Memorandum from City Clerk Lee Price dated December 9, 2004 transmitting items filed for the Public Record for the period December 1-7, 2004.

Discussion/Action: The Committee noted and filed the Public Record.

## **F. Appointments to Boards, Commissions and Committees**

There were none.

## **G. Rules Committee Reviews, Recommendations and Approvals**

There were none.

## **H. Oral Communications**

Aaron Morrow, District 7 resident and Disability Advisory Commissioner, requested Council take periodic breaks during lengthy sessions.

**I. Adjournment**

The meeting adjourned at 2:50 p.m.

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Pat Dando, Chair  
Rules/Agency Rules Committee